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Application No. 10/658,746
Docket No. 033171-30**REMARKS**

By the above actions, the claim 1 has been further amended. In view of the above amendments and the following remarks, further consideration of this application is now requested.

With regard to the rejections under 35 USC § 112, it is submitted that the above amendments address all of the points raised by the Examiner so that claim 1 is now both clear and definite as well as fully consistent and supported by the specification. In particular, the wording of claim 1 has been amended to make it clear that there is a plurality of flow controllers and that they are arranged to form a "means for producing" the recited functions. Furthermore, the reference to a single heat exchanger has been changed to refer to both heat exchangers. Accordingly, the rejections under § 112 should now be withdrawn and such action is hereby requested.

The Examiner has rejected of claims 1-3 and 10-12, i.e., all of the claims to the elected embodiment based on the disclosure of the published application of Herta et al. when viewed in combination with the patent to Saperstein, either by themselves or in further combination with the patent to Baier and optionally also the patent to Brocx. These rejections are inappropriate insofar as they related to the claims as now presented. That is, the Examiner has acknowledged that "the references don't explicitly teach all of the modes contemplated by the functional recitations of claim 1" but gave no weight to those recitations. However, since the recitations in question are now part of a means plus function clause relating to the manner in which the flow controllers are arranged with respect to the heat exchangers and flow circuits, the Examiner must give full weight to theses recitations. As such, since the prior art does not teach arranging of flow controllers and heat exchangers in fluid flow circuits as a means for producing the claimed results, they cannot render obvious the present invention and all of the outstanding rejections under § 103 must be withdrawn.

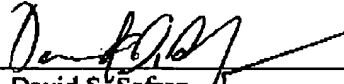
On the basis of the foregoing, in the absence of new and more pertinent prior art being discovered, it is submitted that this application is in condition for allowance and action to that effect is hereby requested. However, even though the present application is now believed to be in condition for allowance, should the Examiner find some issue to remain unresolved, or should any new issues arise, which could be eliminated through discussions with applicant's

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representative, then the Examiner is invited to contact the undersigned by telephone in order that the further prosecution of this application can thereby be expedited.

Respectfully submitted,

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